


Public Schools of North Carolina


Trends in Compliance: The Program Compliance Review



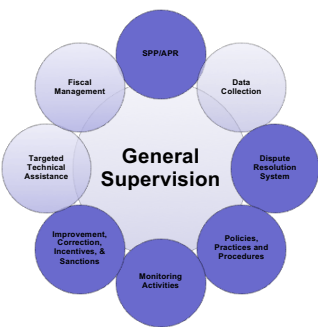
North Carolina Department of Public Instruction
Exceptional Children Division

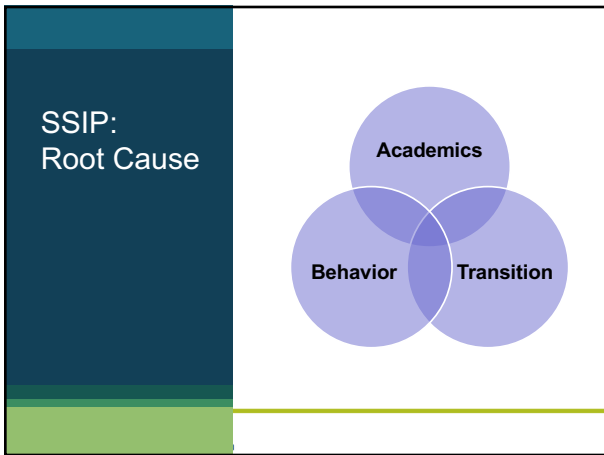
North Carolina's
Monitoring Activities

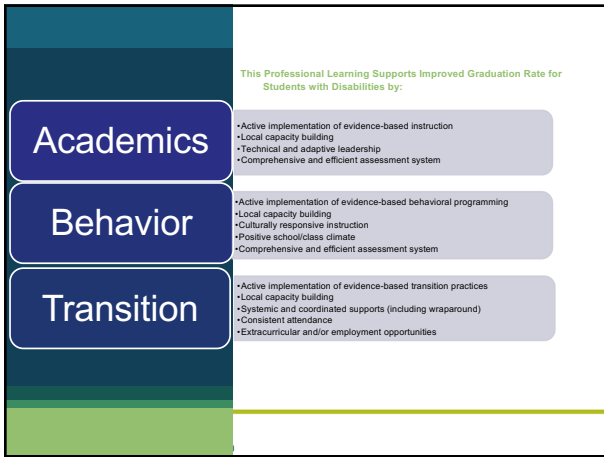
Improving
educational
results and
functional
outcomes for all
students with
disabilities



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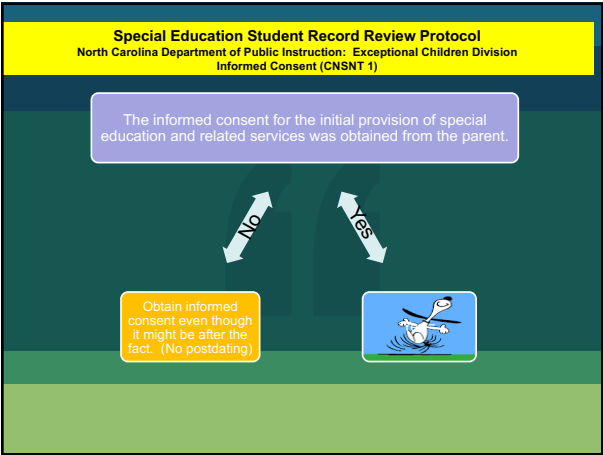




Findings of Noncompliance through Program Compliance Reviews			
2014-2015	2015-2016	2016-2017	
Prior Written Notice	Prior Written Notice	Prior Written Notice	
		• Adequate parental notice	
Eligibility	Eligibility	Evaluation	
		• Informed Consent	
Evaluation	Evaluation	IEP Composition	
		• PLAAFPS	
		• MAG	
		• LRE	
		• Post Secondary Goals	
IEP Composition	IEP Composition	Service Delivery	
	Service Delivery		

Areas on the Protocol


I. Informed Consent(CNSNT)




Areas on the Protocol

II. Prior Written Notice

...and she didn't even have any data to back it up.



your cards



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Special Education Student Record Review Protocol

North Carolina Department of Public Instruction: Exceptional Children Division

Prior Written Notice (PWN 2a,b,c,d,e, 3)

Critical Questions for a compliant Prior Written Notice . . .

Does the PWN clearly and accurately describe the actions that the team took in language that the parent can understand?

Does the PWN clearly and accurately describe why the team made the decisions the way they did in language that the parent can understand?

Does the PWN describe the evaluations and reports used to make the decisions? Are the reports references easily accessible and provided to the parent? Do you have data to support the decisions that were made?

Are procedural safeguards and parental sources for regulation information included in the PWN?

Was the PWN provided to the parent at least one day prior to the implementation date?

Special Education Student Record Review Protocol

North Carolina Department of Public Instruction: Exceptional Children Division

Prior Written Notice (PWN 2a,b,c,d,e, 3)

Critical Keys for a Compliant Prior Written Notice . . .

- Does the Implementation Date allow the parent time sufficient time to receive a paper copy of the PWN?
- Does the Implementation Date allow the school sufficient time to fully implement the IEP?

Think about it

If the parent was not at the meeting, how will you be sure that they received the PWN?

Special Education Student Record Review Protocol

North Carolina Department of Public Instruction: Exceptional Children Division


Prior Written Notice (PWN 2a,b,c,d,e, 3)

Are the answers to all critical questions "yes"?

No

Yes

Provide correct PWN to the parent.



Areas on the Protocol

III. Evaluation and Reevaluation



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Special Education Student Record Review Protocol North Carolina Department of Public Instruction: Exceptional Children Division Evaluation (EVAL 4)

There is documentation of required members' participation in the review of existing data.
(LEA Rep, General Education Teacher, Special Education teacher, parent, student (if appropriate) and person who can interpret results)

No

Complete the reevaluation process with the required members in attendance.

Yes



Special Education Student Record Review Protocol North Carolina Department of Public Instruction: Exceptional Children Division Evaluation (EVAL 5)

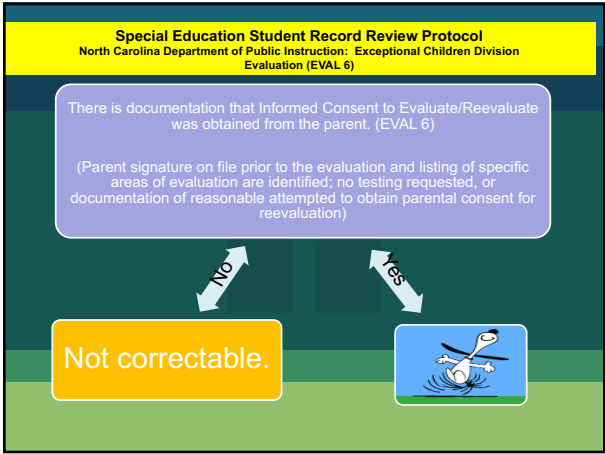
Based upon a review of existing data, the team identified what additional data was needed, if any.

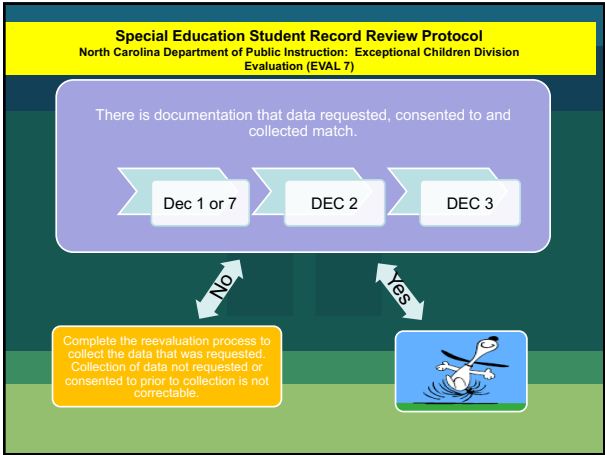
No

Reconvene the IEP team to determine if additional data is needed. Completed the reevaluation process.

Yes







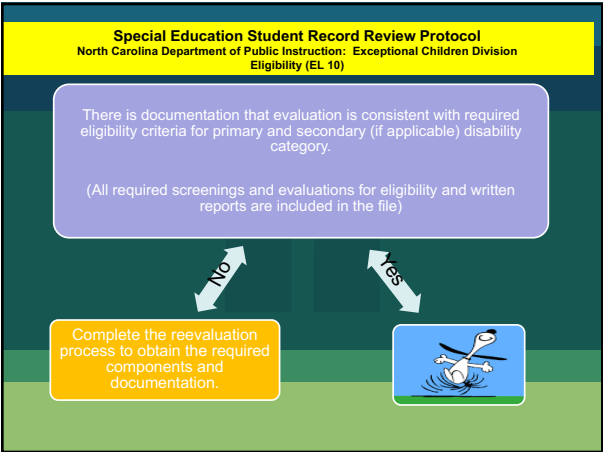


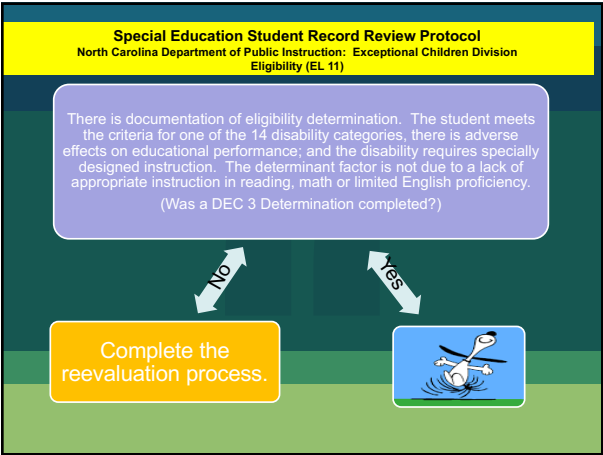
Areas on the Protocol

IV. Eligibility Determination




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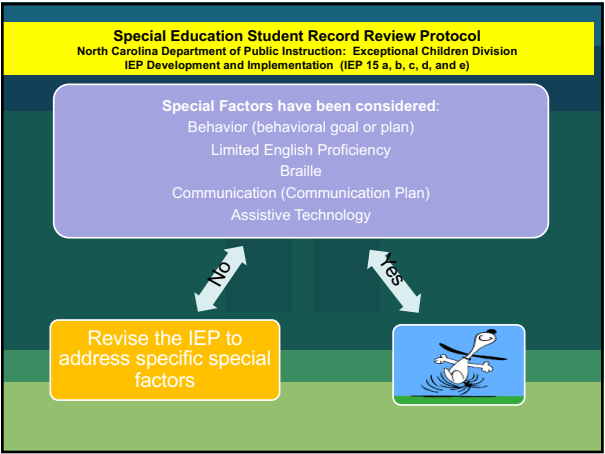


Areas on the Protocol

V. IEP Development



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Getting the Cart Before the Horse...

- Many IEP content compliance errors occur because the team gets the cart before the horse.

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IEP DEVELOPMENT: The Sequence

- Team members report findings/review existing data
- Team identifies strengths, prioritizes needs and assesses the impact of the disability.
- Team writes prioritized goals student can reasonably achieve by end of IEP
- Team determines what services at what frequency and duration are needed to accomplish the goals within the life of the IEP.
- Team determines what related services & supports student will need to benefit from & make progress in program
- Team determines least restrictive environment for plan implementation

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Baseline Data – The PLAAFP

(PRESENT LEVEL OF ACADEMIC ACHIEVEMENT AND FUNCTIONAL PERFORMANCE)

- Current/relevant information about student performance in one domain
- Objective
- Measurable
- Understandable
- Impact of the disability related to participation and progress in general education



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Describe how the disability impacts involvement and progress in the general curriculum: *Andy's disability hinders his ability to:*

- Read (decode words, comprehend what he reads, and read fluently)
 - Complete math calculation and work with numbers
 - Complete tasks (in large or small group settings) and remain in assigned area
 - Perform fine motor activities accurately and effectively
- and this negatively impacts involvement and progress in the general curriculum because it prevents him from:***
- Effectively engaging with grade level materials,
 - Accurately completing fourth grade level academic and functional tasks, and
 - Meaningfully participating in large and small group instruction independently



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Special Education Student Record Review Protocol North Carolina Department of Public Instruction: Exceptional Children Division PLAAFP (IEP16)

Critical Questions for a compliant Present Level of Performance. . .

Does the PLAAFP clearly and accurately describe the academic and functional **strengths** of the child?

Does the PLAAFP clearly and accurately describe the academic and functional **needs (weaknesses)** of the child?

Does the PLAAFP clearly and accurately describe how the disability interferes with the child's involvement and progress in the general curriculum?

Is the PLAAFP based upon data?

Is the PLAAFP easily understood by parents?

Helpful Hint: Avoid statements that address the need or location for services – that will come later! **Bonus points** if you can incorporate post-secondary skill needs if appropriate.

BOTTOM LINE...

The present level of performance is the cornerstone of the IEP.

It drives and links all other IEP components together.



Special Education Student Record Review Protocol North Carolina Department of Public Instruction: Exceptional Children Division PLAAFP (IEP16)

Are the answers to all critical questions "yes"?

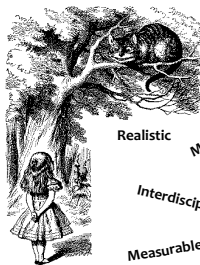
No

Revise the
PLAAFP

Yes

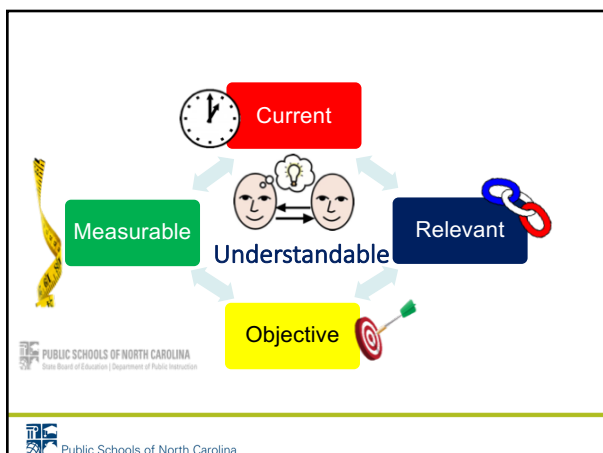


Goals



Objective
Client-Centered
Time limited
Meaningful
Contextual Relevant
Understandable
Observable
Linked to Evaluation
Measurable
Interdisciplinary
Realistic





Measurable Annual Goals



- Flow from the PLAAFP
- Include givens/conditions
- Address one skill/domain area
- Describe observable learner performance
- Contain measurable criteria for acceptable level of student performance
- Can be accomplished within duration of IEP

Special Education Student Record Review Protocol North Carolina Department of Public Instruction: Exceptional Children Division Annual Goals (IEP17)

Critical Questions for a compliant Measurable Annual Goals. . .

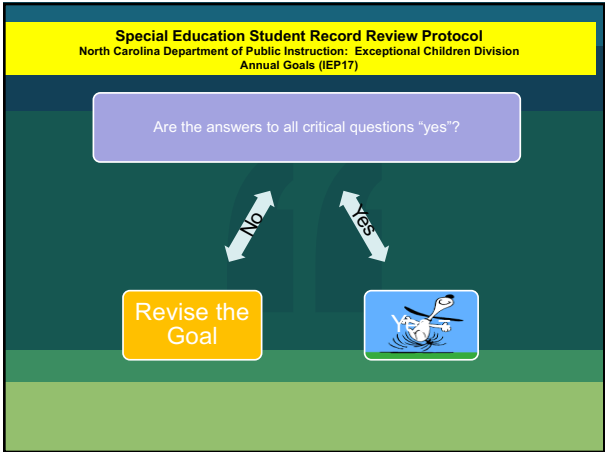
Is the goal measurable?

Does the goal state a level to be considered mastery?

Does the goal state under what conditions the skill will be performed?


Can the goal stand on its own?

Helpful Hint: Avoid "improve"; "increase" or non-action verbs.
Tie goals back to the PLAAFP and remember them in services.



LRE Decisions

- The LRE statement must answer the question “why” the student’s education cannot, even with supports and services, be achieved in the regular education class/environment and thus the student must be removed from his/her typically developing peers for specially designed instruction.
- This statement should not just restate the disability category or the setting...but focus on the educational needs of the student that **require** the removal from nondisabled peers.

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35

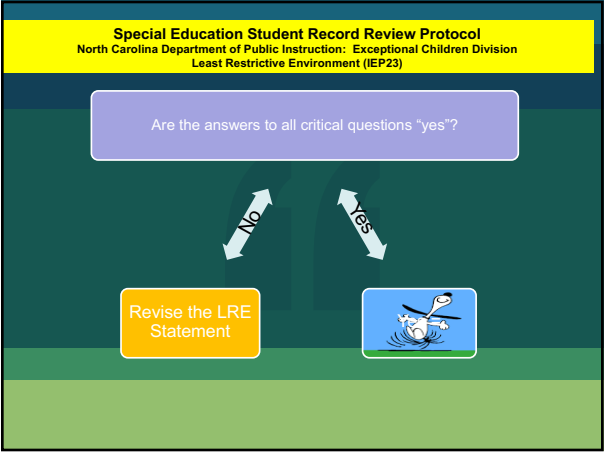
Special Education Student Record Review Protocol
North Carolina Department of Public Instruction: Exceptional Children Division
Least Restrictive Environment (IEP 23)

Critical Questions for a compliant LRE Statement. . .

Does the statement clearly state **why** the services cannot be provided with nondisabled peers?

Is the statement clearly based upon the needs of the student?

Helpful Hint: Avoid administrative or scheduling reasons.



Special Education Student Record Review Protocol
North Carolina Department of Public Instruction: Exceptional Children Division
Post Secondary Goals (IEP 25)

Critical Questions for a compliant Post Secondary Goal...

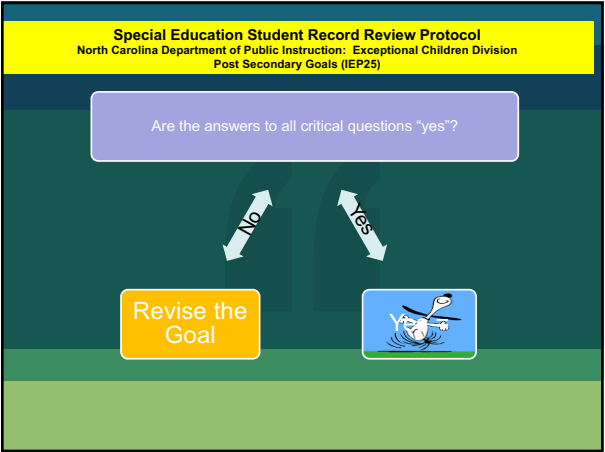
Does the goal indicate actions of the student?

Does the goal indicate what the student will do after high school?

Does the goal align with the data that was obtained from transition assessments, student interests, etc?

Is the goal measurable?

Helpful Hint: Go out on the limb. Be specific. Don't hedge with "plans to" or "would like to".



Service Delivery



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Specially Designed Instruction

- **Specially designed instruction** means *adapting* as appropriate to the needs of an eligible child under this part, **the content, methodology, or delivery of instruction**
- (i) To **address the unique needs** of the child that result from the child's disability; and
- (ii) To **ensure access of the child to the general curriculum**, so that the child can meet **educational standards that apply to all children**.



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Service Delivery

- Are services being provided by an appropriately licensed individual?
- Are the services being provided in the setting that is stated in the IEP?
- Are the services being provided at BOTH the frequency and duration stated in the IEP?
- Is specially designed instruction correlated to the IEP goals being provided?



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If services are not being provided as outlined in the IEP?

- Is the IEP reasonably calculated to provide what the child needs to meet their goals within the life of the IEP? What does the data show?
- Changes in either the frequency or duration of services require that the IEP team amend the IEP.
- Failure to provide services as outlined in the IEP can constitute a denial of FAPE.

North Carolina Monitoring Activities

EXCEPTIONAL CHILDREN

[Home](#) | [Confidentiality, FERPA & Release](#) | [Disability Resources](#) | [Finance & Grants](#) | [Instructional Resources](#) | [Parent Resources](#) | [Policies](#) | [Recruitment & Retention](#) | [Reports & Data](#)

[State Advisory Council](#) | [Governor's School](#) | [Directory](#) | [Calendar](#)

Reports & Data

State Performance Plan

OMB Chart

Continuous Improvement and Focused Monitoring System (CIFMS)

Monitoring Program Compliance Review

Disproportionality Report

Dispute Resolution Civil-Right Reports

End-of-Year Report

LEA Self-Assessment

You are here: Home / Reports & Data / Continuous Improvement and Focused Monitoring System (CIFMS)

Continuous Improvement and Focused Monitoring System (CIFMS)

CONTACT: Cary Ann M. Huggins, Section Chief
Policy, Monitoring and Audit

Monitoring Consultants

PURPOSE: The Individuals with Disabilities Education Improvement Act (IDEIA) and Article 19 of North Carolina state law require that the Department of Public Instruction monitor local education agencies (LEAs) on a regular basis to ensure compliance with state and federal laws, rules and regulations that govern the provision of special education and related services to children with disabilities. The purpose of this monitoring is to focus federal, state, and local resources on improved results for children with disabilities.

The Exceptional Children Division is responsible for conducting all monitoring activities through the Continuous Improvement and Focused Monitoring System (CIFMS). Activities include:

- Program Compliance Reviews,
- Targeted On-Site Monitoring,
- Focused Monitoring, and
- LEA Program Assessments.

Monitoring Consultants


The monitoring consultants are distributed regionally. For regions with high concentrations of LEAs, the monitoring consultants ensure timely technical assistance. Monitoring consultants are available to troubleshoot compliance questions, and for on-site visits, and the technical assistance for compliance violations.

The list of monitoring assignments for particular LEAs can be found by following the link below:

[Priority Monitor](#)

Improvement Planning

- 2016-2017 Improvement Planning Calendar

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Improving
educational results
and functional
outcomes for all
students with
disabilities.

Monitoring Consultants

Northeast/Southeast:

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